

REMARKS

Claims 1, 7-9, 10, 12-18, 20, 21 and 23 have been canceled. Claims 24-43 have been added. Enclosed is our check in the amount of \$200.00 in payment of the fee for the added claims. Please charge any additional claim or other fees for entry of this Amendment to our Deposit Account No. 03-3415.

The Examiner has rejected applicants' claims 1-7, 9-10, 12-18, 20-21 and 23 under 35 USC 112, first paragraph, as failing to comply with the written description requirement. The Examiner has also objected to the Amendment filed on January 3, 2006 under 35 USC § 132(a) as adding new matter into the disclosure. This rejection and objection are based on the addition of certain language to claims 1, 12 and 23.

As above-indicated, claims 1, 12 and 23 have been canceled, thereby obviating this rejection and objection.

The Examiner has rejected applicants' claims 1-7, 9, 12-18, 20 and 23 under 35 USC § 102(e) as anticipated by the Yamaguchi patent (US Patent No. 6,385,675). The Examiner has also rejected applicants' claims 10 and 21 under 35 USC § 103(a) based on the latter patent taken with the Official Notice. Applicants' claims 1-7, 9, 10, 12-18, 20, 21 and 23 have been canceled, thereby overcoming these rejections. To the extent the Examiner believes the rejections are applicable to newly added claims 24-43, the rejections are respectfully traversed.

Applicants newly added claims 24-43 are believed to better define applicant's invention. More particularly added claim 24 recites an information processing apparatus capable of printing data by using another apparatus connected to a network, comprising:

a memory for storing an application program and a printing module to be executed by said information processing apparatus, the printing module being different from the application program; determining means for determining whether or not a printing charge is notified to a user by executing the application program; first notification means in case said determining means determines that the printing charge is notified to the user, for notifying a number of logical total pages to be printed to the printing module by executing the application program, calculation means for calculating the printing charge based on a number of output total pages according to a printing condition by executing the printing module to which the number of the logical total pages to be printed is notified by said first notification means; second notification means for notifying the printing charge calculated by said calculation means to the application program by executing the printing module; third notification means for notifying the printing charge calculated to the user by said calculating means by executing the application program; wherein after the third notification means notifies the printing charge to the user, said information processing apparatus executes processing for printing by another apparatus.

Claim 28 recites similar features.

Such a construction is not taught or suggested by the cited Yamaguchi patent. In particular, the Yamaguchi patent discloses that a printing charge is calculated before printing and printing is executed after a user confirms the printing charge in an image processor or a host computer. More particularly, in the embodiments in the patent in which a user is required to confirm a printing charge (FIG. 4; Column 4, lines 30-58; FIG. 5, Column 5, lines 1-22), the system merely makes a charge calculation for the printing and this charge is sent to the user.

The Yamaguchi patent, therefore, makes no determination as to whether or not the user is to be notified of the printing charge. Moreover, it is not believed that the Yamaguchi patent

teaches or suggests an image processor or a host computer having an application program and a printing module.

As a result, the patent does not and can not teach or suggest “determining means for determining whether or not a printing charge is notified to a user by executing the application program; first notification means in case said determining means determines that the printing charge is notified to the user, for notifying a number of logical total pages to be printed to the printing module by executing the application program, calculation means for calculating the printing charge based on a number of output total pages according to a printing condition by executing the printing module to which the number of the logical total pages to be printed is notified by said first notification means; second notification means for notifying the printing charge calculated by said calculation means to the application program by executing the printing module; third notification means for notifying the printing charge calculated to the user by said calculating means by executing the application program; wherein after the third notification means notifies the printing charge to the user, said information processing apparatus executes processing for printing by another apparatus.”

Applicants’ independent claims 24 and 28, and their respective dependent claims, all of which recite such features thus patentably distinguish over the Yamaguchi patent.

Applicants’ independent claim 32 recites an information processing apparatus capable of printing data by using another apparatus connected to a network, comprising:

job generation means for generating a job file including a printing condition when printing data is printed by the command from an application program, the printing condition including information of both sides printing, layout in a sheet and a number of pages of the printing data;

printing data generation means for converting printing data from the application program into other printing data recognizable by said another apparatus; calculation means for calculating printing charge based on a number of output sheets calculated from the printing condition included in the job file generated in said job generation means; notification means for notifying print charges calculated by said calculation means; and transmission means according to an instruction from a user after the printing charge is notified by said notification means, for transmitting the job file generated by said job generation means and the printing data generated by said printing data generation means. Claim 37 recites like features.

Such a construction is not taught or suggested by the cited Yamaguchi patent. In particular, the Yamaguchi patent mentions logging a job and creating an account based on the log and giving an account notice to each host computer. (Column 2, line 67, through Column 3, line 3). The patent also mentions carrying out an accounting operation based on various copy parameters (Column 3, lines 9-21), recording these results in a log and communicating them to the appropriate host computer (Column 4, lines 23-29).

However, the patent is silent about generating a job file including a printing condition when printing data is printed by the command from an application program, the printing condition including information of both sides printing, layout in a sheet and a number of pages of the printing data. The patent is also silent about converting printing data from the application program into other printing data recognizable by another apparatus. Thus, the Yamaguchi patent fails to teach or suggest “generation means for generating a job file including a printing condition when printing data is printed by the command from an application program, the printing condition including information of both sides printing, layout in a sheet and a number of pages of the printing data; printing data generation means for

converting printing data from the application program into other printing data recognizable by said another apparatus; calculation means for calculating printing charge based on a number of output sheets calculated from the printing condition included in the job file generated in said job generation means; notification means for notifying print charges calculated by said calculation means; and transmission means according to an instruction from a user after the printing charge is notified by said notification means, for transmitting the job file generated by said job generation means and the printing data generated by said printing data generation means.”

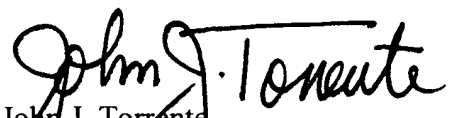
Applicants’ independent claims 32 and 37, and their respective dependent claims, all of which recite such features thus patentably distinguish over the Yamaguchi patent.

In view of the above, it is submitted that applicants’ claims, as amended, patentably distinguish over the cited art of record. Accordingly, reconsideration of the claims is respectfully requested.

Dated: June 21, 2006

Respectfully submitted,

COWAN, LIEBOWITZ & LATMAN, P. C.
1133 Avenue of the Americas
New York, New York 10036
T (212) 790-9200


John J. Torrente
Reg. No. 26,359
Attorney of Record